

REMARKS

Claims 1-22 remain pending in the present application. Claims 1, 6-9, 12-14, 18, 19 and 21 have been amended. Basis for the amendments can be found throughout the specification, claims and drawings as originally filed.

REJECTION UNDER 35 U.S.C. § 102

Claims 1-22 are rejected under 35 U.S.C. § 102(e) as being anticipated by Feigenbaum (U.S. Pat. No. 6,339,785). Applicants respectfully traverse this rejection. Feigenbaum discloses a method of downloading data where a single client 10 accesses a plurality of servers (12, 14 and 16) where the single client 10 receives the data by receiving a first portion (byte 0-999) from server 12, a second portion (byte 1000-1999) from server 14 and a third portion (byte 2000-end) from server 16. Servers 12, 14 and 16 each already have the entire data structure and to improve the downloading, client 10 receives a portion from each of the three servers. The three servers 12, 14 and 16 do not share a portion of the data with each other since they already have all the data.

The present invention is opposite to that disclosed in Feigenbaum. The present invention has a single delivery server which needs to download data to a plurality of users. The delivery server transmits the data to one or more of the users and then the users share the data so that eventually all of the users have the entire data. This enables the delivery server to transmit the data once and then the plurality of users share the sent data.

Claim 1 has been amended to define the step of transmitting each of the plurality of data portions among the plurality of user terminals so that each terminal receives the

data by receiving the data portions. In addition, Claim 1 defines downloading each of the assigned data portions to each of said respective user terminals. As discussed above, Feigenbaum only downloads to a single client 10.

Thus, Applicants believe Claim 1, as amended, patentably distinguishes over the art of record. Likewise, Claims 2-11, which ultimately depend from Claim 1, are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

Claim 12 has been amended to define means for downloading a first data portion to said user terminal and a second data portion to said other user terminal, and means for combining the first and second data portions into said data at said user terminal and said other user terminal. As discussed above, Feigenbaum only downloads to a single client 10. Thus, Applicants believe Claim 12, as amended, patentably distinguishes over the art of record. Reconsideration of the rejection is respectfully requested.

Claim 13 has been amended to define means for transmitting each of said plurality of data portions to each of said respective terminals. Feigenbaum only transmits to a single client 10. Thus, Applicants believe Claim 13, as amended, patentably distinguishes over the art of record. Reconsideration of the rejection is respectfully requested.

Claim 14 defines the step of transmitting and downloading said data from said representative user terminal to each of said plurality of user terminals. As discussed above, Feigenbaum only downloads to a single client 10 not a plurality of user terminals. Feigenbaum downloads from a plurality of servers not to a plurality of users.

Thus, Applicants believe Claim 14, as amended, patentably distinguishes over the art of record. Likewise, Claims 15-17, which ultimately depend from Claim 14, are also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

Claim 18 has been amended to define a user terminal and at least one other user terminal. The delivery server downloads the data to the user terminal which then transmits the data to the at least one other user terminal. As discussed above, Feigenbaum downloads to a single client 10 which does not download to another user. Thus, Applicants believe Claim 18, as amended, patentably distinguishes over the art of record. Reconsideration of the rejection is respectfully requested.

Claim 19 defines that each of the plurality of terminals downloads its respective assigned data fragment from the delivery server and then they exchange the data fragments so that each of them obtains all the data. As discussed above, Feigenbaum downloads to only a single client 10. Thus, Applicants believe Claim 19, as amended, patentably distinguishes over the art of record. Likewise, Claim 20, which depends from Claim 19, is also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

Claim 21 defines that one of the terminals downloads the data and then this one terminal transmits the data to others of the plurality of terminals. As discussed above, Feigenbaum only downloads to a single client 10. Thus, Applicants believe Claim 21, as amended, patentably distinguishes over the art of record. Likewise, Claim 22, which depends from Claim 21, is also believed to patentably distinguish over the art of record. Reconsideration of the rejection is respectfully requested.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: July 14, 2005

By: 

Michael J. Schmidt, 34,007

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

MJS/pmg